

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|            |  |                   |                 |
|------------|--|-------------------|-----------------|
| In re:     | Addington et al.   | Confirmation No.: | 9642            |
| Appl. No.: | 10/712,890   | Group Art Unit:   | 2191            |
| Filed:     | 11/12/2003   | Examiner          | Nguyen, Phillip |
| For:       | SYSTEMS AND METHODS FOR DISTRIBUTING SOFTWARE FOR A HOST<br>DEVICE IN A CABLE SYSTEM |                   |                 |

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(c)

I, Karl Koster, am an attorney of record of the disclaimant, N2 Broadband, Inc., and am authorized to execute this disclaimer on behalf of N2 Broadband, Inc. The disclaimant, N2 Broadband, Inc. having a principal place of business at 4500 River Green Parkway, Suite 110, Duluth, GA 30096, is the owner of all right, title, and interest in the above-identified application, by Assignment filed Nov. 12, 2003, and recorded at Reel 014705, Frame 0786.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 7,194,756, issued on March 20, 2007, entitled *Systems And Methods For Provisioning A Host Device For Enhanced Services In A Cable System*, which patent was assigned to the above-identified disclaimant by an Assignment recorded Nov. 12, 2003, at Reel 014712, Frame 0532.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 7,194,756, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of U.S. Patent No. 7,194,756, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(c), has all claims canceled by a reexamination

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certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,



Date: Dec. 21, 2007

Karl H. Koster  
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